

CHARTER COMMISSION MEETING MINUTES

MONDAY, MARCH 28, 2011

705 W. University Avenue, Council Auditorium

Commission members in attendance: Odon Bacque, Dale Bourgeois, Karen Carson, Bruce M Conque, George A. Lewis, Greg Manual, D. Keith Miller, Stephen J. Oats, Aaron Walker

Absent: None

Charter staff members in attendance: Mike Hebert (City-Parish Attorney), Pat Ottinger (Assistant City-Parish Attorney) and Veronica L. Williams (Charter Commission Clerk)

Council Members/Staff in attendance: Council Chair Kenneth Boudreaux, Council Member Don Bertrand & Jay Castille; Keith Patin, Council Clerk Norma Dugas

Administration staff in attendance: Director of Lafayette Utilities System Terry Huval

(5:30 p.m.) AGENDA ITEM NO. 1: Call to order
Chair George Lewis called the meeting to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance
Commissioner Bruce Conque was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: Comments/Announcements from Commission Members

There were no comments from Commissioners.

AGENDA ITEM NO. 4: Discussion of the Ballot

Attorney General staff members Rick McGimsey and Bill Bryan were in attendance to respond to questions. Later in the meeting, a motion was approved for a preliminary vote setting forth a single ballot proposition with the Separate Charters for the City of Lafayette and the Parish of Lafayette as the option.

AGENDA ITEM NO. 5: Final comments and suggestions on Charter options for the Ballot

► a. **AMENDED CONSOLIDATED CHARTER / LUS:**

Consists of a 9-Member Council (5 Members in the City and 4 Members outside the City), with the 5 City Council Members handling matters related only to the Lafayette Utilities System (LUS), Lafayette Public Power Authority (LPPA) and the Consolidated Sewerage District #1 for the City of Lafayette

There was no discussion.

► b. **AMENDED CONSOLIDATED CHARTER / ALL CITY MATTERS:**

Consists of a 9-Member Council (5 Members in the City and 4 Members outside the City), with the 5 City Council Members handling all matters related to the City of Lafayette, in addition to those

There was no discussion.

► c. **TWO SEPARATE CHARTERS:**

1. *City of Lafayette Charter*
2. *Parish of Lafayette Charter*

A motion was offered by Conque, seconded by Oats to identify preliminary Charter amendments setting Council Members' salary for both the City Council and the Parish Council at \$18,000 per year.

Oats seconded the motion for discussion purposes. Conque explained the \$18,000 amount had been the beginning salary for the existing Council upon Consolidation and was comparable to other salaries of elected officials around the state. It was Oats' thought that the Commission was working towards making salaries similar to the current total LCG budget appropriation of \$335,000 for salaries of LCG elected officials (Council Members and the Mayor-President). He felt the \$18,000 amount was too high.

On the motion offered by Conque, seconded by Oats **to identify preliminary Charter amendments** setting Council Members' salary for both the City Council and the Parish Council at \$18,000 per year, the vote was as follows:

YEAS: Carson, Conque, Lewis, Manuel

NAYS: Bacque, Bourgeois, Miller, Oats, Walker

ABSENT: None

ABSTAIN: None

The motion was failed.

A motion was then offered by Oats, seconded by Miller **to identify preliminary Charter amendments** setting Council Members' salary for both the City Council and the Parish Council at \$14,000 per year and the vote was as follows:

YEAS: Conque, Lewis, Miller, Oats, Walker

NAYS: Bacque, Bourgeois, Carson, Manuel

ABSENT: None

ABSTAIN: None

The motion was approved.

Prior to the vote, Bacque expressed concern that the salary was too low. Following the favorable vote, the salary of Council Members for both the City Council and the Parish Council would be set at \$14,000 in the separate Charters.

Conque noted that the Mayor's salary in the proposed City Charter would be commensurate with the Sheriff's salary at the time of taking office in 2016, which currently was \$128,500. The Parish President's salary in the Parish draft document would be 85% of the City-Parish President's salary, which currently was approximately \$109,000.

A motion was offered by Oats, seconded by Miller to identify a preliminary Charter amendment setting the Parish President's salary at \$60,000. WITHDRAWN

Oats withdrew the motion stating, other Parish President's around the State had a salary of around of \$75,000.

Oats then offered another motion, seconded by Miller to identify **a preliminary Charter amendment** setting the Parish President's salary at \$75,000 and the vote was as follows:

YEAS: Lewis, Miller, Oats, Walker

NAYS: Bacque, Bourgeois, Carson, Conque, Manuel

ABSENT: None

ABSTAIN: None

The motion failed.

The salary for the Mayor and Parish President would remain as proposed in the draft City and Parish documents, those being; The salary of the Mayor first serving under the City Charter shall be the same as the salary of the Sheriff of Lafayette Parish (as established by the State Legislature) on the date the Charter becomes effective. The salary of the Parish President first serving under the Parish Charter shall be eighty-five percent (85%) of the annual salary of the City-Parish President from the Lafayette City-Parish Consolidated Government immediately preceding the effective date of the Charter.

Conque expressed concern regarding the provision setting forth a 25% salary increase for the Council Member serving as Chair of the Council. It was his opinion the percentage was too high.

A motion was offered by Conque (with no second) to identify a preliminary Charter amendment providing that the Chair of the Council receive an additional \$100 per month. MOTION FAILED FOR LACK OF SECOND

A motion was offered by Carson, seconded by Bacque to identify **a preliminary Charter amendment** providing an additional salary amount for the Chair of the Council, which would amount to ten percent (10%) above a Council Member's base salary and the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Miller, Oats

NAYS: Walker

ABSENT: None

ABSTAIN: None

The motion was approved.

A motion was offered by Conque, seconded by Walker to take a preliminary vote for a single ballot proposition with the Separate Charters for the City of Lafayette and the Parish of Lafayette as the option.

Bourgeois and Bacque supported giving voters a choice, which would include a multiple choice ballot. Conque explained that if his proposed single ballot option was voted down by citizens, a Commission would have three (3) years to come up with an alternative option for a Consolidated Government. Further, a simple proposition, with a one "for or against" option would be more palatable to a voter. Bacque questioned whether a new Charter Commission would have to be created should the single ballot item for separate governments fail and Conque responded affirmatively; however, all were reminded a new Charter Commission would not have to start from scratch as there were other draft documents, created by this Commission, on Consolidated

Government structures. Manuel asked if the people would have to vote on a new alternative option for a Consolidated Government and Lewis responded affirmatively, adding that redistricting would also be required under any of the proposed documents.

Lewis then called for public comment on the motion and the following addressed the Council:

►Ronnie Judice was a former Assistant City Attorney and had experience in City government. A lot of time and money had been spent and the Commission was best suited to make a choice in sending a ballot option to the people. He thought they should choose the right option and go with it. Also, he did not support extending the term of the Commission.

►Carol Ross congratulated the Commission members on their appointment and thanked them for their service. The ordinance creating the Charter Commission said the Commission could choose a plan or alternative plans, with the people being the final judges. If a choice would be placed on the ballot, the ballot should be simple. Ross supported Option B on the agenda, Conque's Consolidated plan. All future annexations should be contiguous to the municipalities. It was her opinion that people wanted to see more options on the ballot.

►Mike Stagg reminded the Parish Government served no one in the small towns; and the Parish function would continue to shrink. He preferred a straight up or down choice, as the hybrids (Options A and B above) were flawed. The fundamental problem of being disenfranchised would remain. He supported the motion on the floor.

►Michael Keating resided in the parish and had been impacted by the City Public Works Department as that related to a property disagreement and felt that the City and Parish needed to be separated again. He supported the motion on the floor and did not support the hybrid options, nor the current form of government. In his opinion, a parish manager would not work.

►Kathleen Espinoza stated that deconsolidation would not be in the best interest of Lafayette, reminding Commissioners of the presentations made by departmental directors of LCG regarding the success of their departments under Consolidation. On LUS, she felt that the Charter could be properly amended to address concerns and believed Lafayette was progressive and could accomplish successful planning. Lewis clarified that both Charters provided the Parish Government with the option to enter into an agreement with the City for consolidated services/functions. Espinoza agreed that the multiple choice ballot would not be a good choice.

►Wayne Colvin lived in the unincorporated parish and reminded there were pockets inside the City limits considered to be islands. The hybrids or two separate governments would create problems. The entire area had progressed so much and shown growth. Colvin felt the LUS matters could be addressed via Charter amendments within the existing Charter.

►Greg Long thanked Commissioners for their time and service on the Commission and supported a full parishwide consolidation. The City of Lafayette was seen as giving all their incentives away to other small municipalities and could not grow. People should be able to elect a mayor. He reiterated the need to look at true consolidation for the entire parish.

►Leonard Breaux liked the motion to have a single ballot proposition and suggested that the facts of each ballot option be presented prior to voting.

(First name inaudible) Dupre noted that the people living in the City were not properly represented in Consolidated government, given that people living outside the City of Lafayette were allowed to vote on the mayor.

► Nancy Mounce concurred with the statement that one issue should be on the ballot and the City of Lafayette needed its autonomy. She questioned whether a determination has been made on who would vote on any given proposal (meaning City and/or Parish residents) and Hebert responded that this was a question posed to the attorney general's office.

► Thomas Anger proposed selling the utilities system to other parish municipalities so it would be a parishwide facility, where all residents of the parish would have a vote in the system.

On the motion offered by Conque, seconded by Walker on a **preliminary vote** for a single ballot proposition with the Separate Charters for the City of Lafayette and the Parish of Lafayette as the option, the vote was as follows:

YEAS: Carson, Conque, Lewis, Miller, Oats, Walker

NAYS: Bacque, Bourgeois, Manuel

ABSENT: None

ABSTAIN: None

The motion was approved.

With current Council Members being in attendance at the meeting, Oats requested support of an ordinance granting an extension of time for the Charter Commission. The ordinance was scheduled for introduction March 29 and final adoption April 12. Additional time would allow for public outreach on the selected option and for the attorneys to review the drafts. Lewis reminded that the separate Charters had been reviewed by the Bond attorney and attorneys in the Legal Department.

AGENDA ITEM NO. 6: Open Public Hearing

► Dale Brasseaux asked for clarification on the separate charters proposal and Lewis responded the two separate charters had two distinct government structures for the City and for the Parish, with the ability to consolidate the services/functions of the departments. Under the current form of government, Brasseaux felt the unincorporated parish was not being well represented and the unincorporated parish needed its own representation.

► Carroll Baudoin noted that Bacque was a State representative that approved the legislation for Consolidation. He asked, "*why not give the citizens of the City of Lafayette the right to vote?*" He supported the recently approved motion.

► Patrick Brasseaux stated he would like the district lines redrawn to exclude the small municipalities from Lafayette Consolidated Government. None of the communities would have the same vote as city residents. Further, it was his opinion that no one residing within the small municipalities should have the right to run for elected office for LCG.

► Conrad Comeaux requested that Council Members approve a time extension for the Charter Commission for a more thorough review of the documents. Sections on the city urban services district and a rural service district for the parish should be placed into the documents.

Carson asked what it would take to have the single ballot option ready for the November election and Hebert advised that once the Commission made its final vote, the Charter recommendation would go to the Secretary of State, State Bond Commission and Justice Department for approval. Hebert reminded that redistricting plans for this year were also being reviewed and approved by the Justice Department, which could cause even further delays in review.

► Rex Moroux offered clarification on the Parish Manager verses a Parish President, in that a Manager would not be an elected position and have to answer to the Council as their Chief advisor. The Manager could offer more transparency, promote efficiency as well as innovative ideas. Selection of a Council-Manager form of government had risen 14%. Oats requested that Moroux forward a copy of his presentation to the Charter Commission for review.

AGENDA ITEM NO. 7: Next meeting date

The next meeting was scheduled for April 4.

AGENDA ITEM NO. 8: Adjourn

There being no further business, the meeting adjourned at 7:15 p.m.